

**REMARKS**

The above amendments and these remarks are responsive to the final Office Action issued on October 24, 2005. By this Response, claims 1, 22 and 41 are amended. No new matter is added. Claims 1-56 are now active for examination. A request for continued examination and a petition for a two-month extension of time are submitted concurrently herewith.

The Office Action rejected claims 1-6, 9, 11, 15-16, 20-27, 30, 31, 33, 37-45, 47, 49 and 53-56 under 35 U.S.C. §103(a) as being unpatentable over Wolfinger et al. (US Patent No. 6,415,259) in view of “How CTI is Changing Workforce Management: What are the Possibilities for your Call Center?” (hereinafter “Davis”). Claims 7, 8, 10, 19, 28, 29, 32, 46 and 48 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wolfinger et al. in view of Davis and further in view of “Automating for Better Workforce Management” (hereinafter “Reynolds”). The Examiner rejected claims 12-14, 17, 18, 34-36 and 50-52 under 35 U.S.C. §103(a) as being unpatentable over Wolfinger et al. in view of Davis and further in view of “A Microcomputer-based Data Management and Capacity-planning System” (hereinafter “Randhawa”).

The claim rejections are respectfully traversed in view of the amendments and/or remarks presented herein.

(1) Rejection of Claims 1-6, 9, 11, 15-16, 20-27, 30-31, 33, 37-45, 47, 49 and 53-56

Claims 1-6, 9, 11, 15-16, 20-27, 30-31, 33, 37-45, 47, 49 and 53-56 were rejected as unpatentable over Wolfinger et al. in view of Davis. By this Response, independent claims 1, 22 and 41 are amended. Appropriate support for the amendment can be found in, for example, paragraphs [0003], [0024] and [0026] of the written description. It is respectfully submitted that

the obviousness rejection is overcome because Wolfinger and Davis cannot support a prima facie case of obviousness.

Claim 1, as amended, describes a capacity planning method in which a machine receives a plurality of tasks of a financial institution and identifies a plurality of subtasks that are associated with each of the plurality of received tasks. Examples of the financial institution include banks, clearing houses, clearing centers, insurance companies, etc. The plurality of subtasks are needed to perform each respective task of the financial institution. Production rate information related to the amount of time or the number of staff needed to perform each of the identified subtasks is accessed. A work volume of the financial institution is calculated based on the identified subtasks and the production rate information.

In contrast, both Wolfinger and Davis are related to telecom companies or call centers, and fail to specifically describe receiving a plurality of tasks of a financial institution, and calculating a work volume of the financial institution based on the identified subtasks and the production rate information, as described in claim 1.

Furthermore, as correctly acknowledged by the Examiner, Wolfinger fails to teach calculating a work volume based on the identified subtasks and the production rate information, as described in claim 1. The Office Action turned to Davis for the missing feature. However, Davis does not alleviate the deficiency of Wolfinger. According to claim 1, the work volume is determined based on subtasks of a plurality of received tasks of a financial institution. In contrast, Davis describes a system for forecasting the number of incoming calls within a specific time interval, and the needed staff for each time interval. (See paragraphs 19-22 of Davis). In other words, Davis tries to forecast the number of incoming calls, not to calculate the actual existing amount of phone calls received by the call center. Accordingly, Davis, like Wolfinger,

also fails to disclose calculating a work volume based on the identified subtasks associated with the plurality of received tasks, as described in claim 1. Therefore, Davis and Wolfinger, even if combined, do not disclose every limitation of claim 1, and hence cannot support a prima facie case of obviousness. The obviousness rejection of claim 1 is untenable and should be withdrawn. Favorable reconsideration of claim 1 is respectfully requested.

Independent claims 22 and 41 include features related to receiving a plurality of tasks of a financial institution, and identifying a plurality of subtasks associated with each of the plurality of received tasks. A work volume of the financial institution is calculated based on the identified subtasks. As discussed earlier relative to claim 1, Wolfinger and Davis, even if combined, do not disclose these features. Consequently, claims 22 and 41 are patentable over Wolfinger and for at least the same reasons as for claim 1.

Claims 2-6, 9, 11, 15, 16, 20, 21, 23-27, 30, 31, 33, 37-40, 42-45, 47, 49 and 53-56, directly or indirectly, depend on claims 1, 22 and 41, respectively, and incorporate every limitation thereof. Thus, for at least the same reasons as for claims 1, 22 and 41, claims 2-6, 9, 11, 15, 16, 20, 21, 23-27, 30, 31, 33, 37-40, 42-45, 47, 49 and 53-56 also are patentable over Wolfinger and Davis by virtue of their respective dependencies from claims 1, 22 and 41. Favorable reconsideration of claims 2-6, 9, 11, 15, 16, 20, 21, 23-27, 30, 31, 33, 37-40, 42-45, 47, 49 and 53-56 is respectfully requested.

**(2) Rejections of Claims 7-8, 10, 19, 28, 29, 32, 46 and 48**

Claims 7, 8, 10, 19, 28, 29, 32, 46 and 48, directly or indirectly, depend on claims 1, 22 and 41, respectively, and incorporate every limitation thereof by virtue of their dependencies. The Office Action rejected claims 7, 8, 10, 19, 28, 29, 32, 46 and 48 as unpatentable over the

combination of Wolfinger et al. in view of Davis and further in view of Reynolds. However, Reynolds also relates to forecasting the call numbers of a call center, and does not alleviate the deficiencies of Wolfinger and Davis. Accordingly, Reynolds, Wolfinger and Davis, even if combined, do not disclose every limitation of the claims and thus cannot support a prima facie case of obviousness. The obviousness rejections of claims 7, 8, 10, 19, 28, 29, 32, 46 and 48 are untenable and should be withdrawn. Favorable reconsideration of claims 7, 8, 10, 19, 28, 29, 32, 46 and 48 is respectfully requested.

(3) Rejections of 12-14, 17, 18, 34-36 and 50-52

Claims 12-14, 17, 18, 34-36 and 50-52 indirectly depend on claims 1, 22 and 41, respectively, and incorporate every limitation thereof by virtue of their dependencies. The Office Action rejected claims 12-14, 17, 18, 34-36 and 50-52 as unpatentable over Wolfinger et al. in view of Davis and further in view of Randhawa. According to the Examiner's interpretation, Randhawa purportedly describes providing a scheduling module allowing users to change scheduling. Randhawa, however, does not alleviate the deficiencies of Wolfinger and Davis. Accordingly, Randhawa, Wolfinger and Davis, even if combined, do not disclose every limitation of the claims and thus cannot support a prima facie case of obviousness. The obviousness rejections of claims 12-14, 17, 18, 34-36 and 50-52 are untenable and should be withdrawn. Favorable reconsideration of claims 12-14, 17, 18, 34-36 and 50-52 is respectfully requested.

**CONCLUSIONS**

For the reasons given above, Applicants believe that this application is in condition for allowance, and request that the Examiner give the application favorable reconsideration and permit it to issue as a patent. If the Examiner believes that the application can be put in even better condition for allowance, the Examiner is invited to contact Applicants' representatives listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Wei-Chen Nicholas Chen  
Registration No. 56,665

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 WC:apr  
Facsimile: 202.756.8087  
**Date: March 21, 2006**  
WDC99 1156029-1.067389.0034

**Please recognize our Customer No. 20277  
as our correspondence address.**